

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 * * *

4 JOSE CERDA GODINEZ,

5 Plaintiff,

Case No. 3:21-cv-00314-RCJ-WGC

6 GUZMAN, et al.,

7 Defendant.

ORDER ACCEPTING AND ADOPTING
REPORT AND RECOMMENDATION OF
MAGISTRATE JUDGE

9 Before the Court is the Report and Recommendation of United States Magistrate Judge
 10 Craig S. Denney (“R&R”) relating to Plaintiff’s motions for a temporary restraining order and a
 11 preliminary injunction. (ECF Nos. 16, 3, 4). The parties had until March 15, 2022, to object to the
 12 R&R. No objection has been filed.

13 This Court “may accept, reject, or modify, in whole or in part, the findings or
 14 recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). Where a party timely
 15 objects to a magistrate judge’s report and recommendation, then the court is required to “make a
 16 de novo determination of those portions of the [report and recommendation] to which objection is
 17 made.” 28 U.S.C. § 636(b)(1). Where a party fails to object, however, the court is not required to
 18 conduct “any review at all . . . of any issue that is not the subject of an objection.” *Thomas v. Arn*,
 19 474 U.S. 140, 149 (1985). Indeed, the Ninth Circuit has recognized that a district court is not
 20 required to review a magistrate judge’s report and recommendation where no objections have
 21 been filed. See *United States v. Reyna-Tapia*, 328 F.3d 1114, 1118–19 (9th Cir. 2003)
 22 (disregarding the standard of review employed by the district court when reviewing a report and
 23 recommendation to which no objections were made).

24 Nevertheless, this Court finds it appropriate to engage in a de novo review to determine
 25 whether to adopt Magistrate Judge Denney’s R&R. The Magistrate Judge recommends denying
 26 Plaintiff’s motions for a restraining order and an injunction because some of the relief requested
 27 is out of character with Plaintiff’s claims in this case, and Plaintiff makes no showing that any of
 28 the *Winter v. Natural Resources Defense Council, Inc.*, 555 U.S. 7 (2008), factors are met. Upon

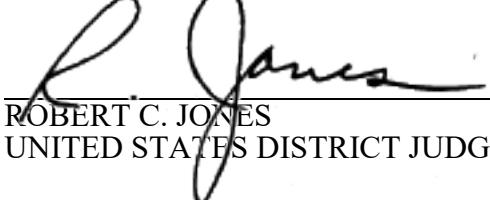
1 reviewing the R&R and underlying briefs, this Court finds good cause to adopt the Magistrate
2 Judge's Recommendation in full.

3 It is therefore ordered that the Report and Recommendation of Magistrate Judge Denney
4 (ECF No. 16) is accepted and adopted in its entirety.

5 It is ordered that Plaintiff's motion for a temporary restraining order (ECF No. 3) and
6 motion for a preliminary injunction (ECF No. 4) are denied.

7

8 DATED THIS 29th day of March 2022.

9
10 
11 ROBERT C. JONES
12 UNITED STATES DISTRICT JUDGE
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28